

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

# WILLOW GREENE HOMEOWNERS ASSOCIATION

Plaintiff,

V.

GERARD ROOFING TECHNOLOGIES,  
A DIVISION OF METALS USA  
BUILDING PRODUCTS, L.P. AND  
METALS USA, INC.

## Defendants

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CIVIL ACTION NO. 4:13-CV-00176  
Judge Mazzant

## **AGREED STIPULATION OF DISMISSAL**

Plaintiff and Defendants file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Willow Greene Homeowners Association (“Willow Greene” or “Plaintiff”).
2. Defendants are Gerard Roofing Technologies, a division of Metals USA Building Products, L.P. (“Gerard”), and Metals USA, Inc.’s (“Metals USA”) (collectively “Defendants”).
3. Plaintiff moves to dismiss the suit.
4. Defendants agree to the dismissal.
5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiff has not previously dismissed any federal or state-court suit based on or including the same claims as those presented in this case.

9. This dismissal is with prejudice.

Respectfully submitted,

/s/ Michael D. Richardson

Michael D. Richardson

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AGREED:

/s/ Jennifer L. Graf

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**ATTORNEY FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of December, 2014, the foregoing Agreed Stipulation of Dismissal was filed with the Clerk of the Court for the Eastern District of Texas, Sherman Division, using the CM/ECF system, which will send notification of such filing to all counsel who have registered with the Court.

/s/ Michael D. Richardson  
Michael D. Richardson